



VIRGINIA LAW WEEKLY

2017, 2018 & 2019 ABA Law Student Division Best Newspaper Award-Winner

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Forget Trump. Read Your State's Election Code.

Emily Becker '27
Staff Editor

The election is over. Now what? The race of a century may have reached a resounding conclusion, but as we saw post-2016 and 2020, the presidential election will undoubtedly spur a burst of local political involvement in the many off-year elections that remain. In 2023, twenty-nine major cities held mayoral elections.¹ We have town council, state judiciary, sheriff, and state attorney general battles to focus on. In my hometown, for example, the school board elections are more hotly contested and socially divisive than the mayoral race.

Headline cases tend to revolve around the presidential election: President-elect Trump's sixty-two lawsuits in the wake of his 2020 loss, RFK Jr.'s battle to remove himself from Michigan ballots, the DOJ voter purge case in Virginia. But election procedures impact all elections, and all elections have the potential to generate litigation. In fact, local elections stand to generate a particularly interesting set of cases, seeing as they may not always be subject to federal election rules. The Virginia DOJ voter purge case, for instance, arose out of National Voter Registration Act (NVRA) claims. The NVRA only applies to federal elections, though.² States have a great deal of discretion in defining election rules and enforcement. With a Supreme Court that places a great premium on states' rights, upcoming local election litigation may face some serious obstacles in proving any unconstitutionality, thus potentially constraining such litigation to sub-constitutional ques-

¹ [https://ballotpedia.org/Partisanship_in_United_States_municipal_elections_\(2023\)](https://ballotpedia.org/Partisanship_in_United_States_municipal_elections_(2023)).

² <https://www.justice.gov/crt/national-voter-registration-act-1993-nvra>.

Panel Speaks on Reproductive Justice in wake of Trump Win



Alicia Kaufmann '27
Staff Editor

On Thursday, November 7, two days after the election, If/When/How and the American Constitution Society ("ACS") hosted a panel on "Reproductive Justice and the 2024 Election." The panel featured Professor Anne Coughlin, Professor Naomi Cahn, and Federal Policy Counsel Sanchi Khare from the Center for Reproductive Rights.

Khare kicked off the panel with a quick introduction to her work. The Center for Reproductive Rights is a 501(c)(3) nonprofit that "uses the power of law to advance reproductive rights as fundamental human rights around the world."¹ As Federal Policy Counsel, Khare describes her work as "heavy legal thinking" dedicated to ensuring reproductive rights "legislation [will] withstand judicial review." Before working for the Center, Khare clerked for the Senate Judiciary Committee and now-Supreme Court Justice Ketanji Brown Jackson when she was at the U.S. District Court for the District of Columbia.

Professor Coughlin then gave an overview of her experience working on reproductive justice issues. Along with teaching the Feminist Jurisprudence course (available in Spring 2025), she is also the co-director of UVA's Sound Justice Lab, which highlights "the lives of people that law tends to exclude or marginalize." She and Professor Cahn are also jointly teaching Reproductive Rights and Justice during the J-term from January 13 to 16. Professor Cahn also expounded on her back-

¹ <https://reproductiverights.org/about-us/>.



From left: Professor Naomi Cahn, Sanchi Khare, Professor Anne Coughlin
Source: UVA, LinkedIn

ground in reproductive justice, which began straight out of college when she got a job at the National Abortion Rights Action League checking for bombs in the mailroom. Both professors have devoted their academic careers to researching the intersection of reproductive and feminist issues and the law.

After introductions, the conversation shifted to how these reproductive issues will be "addressed" in the new administration. During the election, seven out of the ten states that had abortion initiatives on the ballot passed them, enshrining abortion rights in their state constitutions. However, it is still unclear which party will win a majority in the House of Representatives. With gains in the Senate and Trump's presidential victory, Republicans could potentially control all three branches of government. Even if the GOP does not gain control of the House, however, the panelists explained the myriad ways the federal government would be able to restrict access to abortion and reproductive health care.

Addressing a national abortion ban, Khare said that she is not as worried about this as other measures. "The filibuster would prevent a national ban," Khare reassured. The filibuster is a Senate procedure that allows members to prolong debate on a bill. Sixty members have to vote in favor of "cloture" to end a filibuster. Senate Republicans have not been outspoken about getting rid of the filibuster, and there are two pro-choice Republicans,



Susan Collins (R-ME) and Lisa Murkowski (R-AK), so Senate Democrats should be able to impede a national ban. Khare, however, is concerned about Republicans using the budget reconciliation process to circumvent the filibuster. Reconciliation bills aim to align spending, revenue, and debt with budget targets and get expedited consideration in the Senate—there is no ability to delay using the filibuster. Senate Republicans may use this strategy to redirect funds away from facilities or jurisdictions that provide abortion care.

The panelists argued that an executive administrative ban is more likely than larger legislative measures. For example, agencies may revive a restrictive interpretation of the Comstock Act to criminalize mailing abortion medication across state lines. States can get around this by manufacturing the pills entirely within the state, but this would require extensive funding. Another tactic may be limiting Title X, or government-funded family planning through the Department of Health & Human Services. Khare says it is extremely likely for Trump to institute a "global gag rule" as soon as he assumes office, or conditioning receipt of Title X funds for foreign NGOs on not counseling or advising on abortion access. Professor Cahn added that a "domestic gag rule" is also possible. Similarly, executive agencies can divert funds to Crisis Pregnancy Centers (CPCs) or limit Medicaid funding so providers cannot advise on abortion.

around north grounds



Thumbs down to Veterans Day. ANG respects those who [have] serve[d], but thinks it's unfair that we still had classes. At the very least our veteran law students should have the day off. Happy birthday to ANG's favorite veteran, Julie.



Thumbs up to the Martha Stewart documentary. ANG thinks the persecution of blonde white women has to stop! ANG also wants to be friends with Snoopy.



Thumbs up to Professor Kordana's wiretap on the *Law Weekly* office. After our extensive discussion of *Star Trek* last week, Professor Kordana took some time to diss the greatest sci-fi TV series of all time during Corporations. Yes, we are taking it personally.



Thumbs sideways to democracy. ANG enjoys the shallow appearance of popular exercise of political power but dislikes the challenge of picking between such a variety of great candidates.



Thumbs up to eggnog. ANG loves drinkable desserts, especially those with strange names and stranger histories. The rum doesn't hurt either.



Thumbs sideways to Tucker Carlson's demons. ANG is sympathetic to his plight, because Tucker Carlson is the form that ANG's sleep paralysis demon takes every night, with or without Benadryl.



Thumbs down to the first ever Michelin-ranked ice cream shop, Minimal in Taiwan. As a gremlin of the people, ANG knows that ice cream should never be "minimal."



Thumbs up to the woodchuck living in ANG's backyard. ANG thinks it's interesting how most animals are dogs actually.

STATE CODE

continued from page 1

tions governed by local statutes.

A recent case out of Texas can teach us a little about what we may expect in the upcoming election “off” years. In November 2022, Loving County, Texas held its election for County and District Clerk, Justice of the Peace, and County Commissioner. The Justice of the Peace candidates tied with thirty-nine votes each, and the Clerk and Commissioner victors received forty-six and twelve votes, respectively. For all intents and purposes, this was a strong turnout: 72.48 percent of registered voters.³ So, yes, Loving County is incredibly small (the smallest county in Texas),⁴ and it is perhaps a dramatic example. But because the margins in question were so thin, the lawsuit⁵ that arose out of the election led to a strikingly thorough consideration of granular evidence

3 <https://www.sos.texas.gov/elections/historical/loving.shtml>.

4 <https://www.texasstandard.org/stories/loving-county-tx-elections-overtured-illegal-votes/>.

5 *Medlin v. King*, 2024 WL 3845970.

Counsel's Counsel

The world's preeminent advice column for law students.

Question

Dear Jane,

I've recently heard a rumor going around the Law School that there's a prize for the best memo in our Legal Research and Writing (LRW) course this semester. The problem is, I'm not sure whether the rumor is true or if it's just wishful thinking. You see, I overheard some 3Ls in ScoCo discussing a potential 1L firm internship for the winner! Either way, it's got me thinking: I really want to win it.

I've been working hard on my third, and final, memo, but I can't help feeling a little anxious about the possibility of it not being enough. There's a lot of competition, and while I'm putting in my best effort, I don't want to get my hopes up too high. At the same time, the thought of winning this prize has me extra motivated, and I'm wondering if I'm putting too much pressure on myself.

If the prize really does exist, how can I ensure that my work stands out without coming across as too eager or competitive? And if I don't end up winning, how can I manage my expectations and avoid feeling disappointed or like I've failed?

I'd love some advice on how to stay focused and grounded while still aiming

by the court, since a ruling on a dozen voters' eligibility could (and in fact did) cause the court to order a new election.

In August 2024, the losing candidates from the 2022 election filed a lawsuit against the victors alleging both voting by ineligible voters and disenfranchisement of eligible voters. The trial court ruled that ten votes had been cast illegally and subtracted them from the totals. Only one of the candidates, the District and County Clerk, had won by more than ten votes, resulting in the court's ordering a new election for Justice of the Peace and County Commissioner. Both the unsuccessful candidates and the victors appealed, with the plaintiffs reiterating claims of illegal voting and disenfranchisement, and the defendants alleging unconstitutionality of the Texas Election Code's residency requirements.

The appellate court affirmed the trial court's finding of ten illegal votes, predicated upon the Texas Election Code's residency requirements. The court declined to consider the defendant's constitutional challenges, choosing instead to resolve the dispute under other unchallenged provisions of the election code—a

for that top spot.

Sincerely,
Eye on the Prize
Prize,

Answer

Ah, the sweet scent of ambition mixed with a teaspoon of self-doubt. Truly, nothing like it to spice up a law school semester.

First, let's talk about this rumor. A prize for the best memo? Of course, it exists—right alongside the mythical “perfect work-life balance” and that rare creature known as the “chill, laid-back law student.” Don't worry too much about whether it's real; at this point, law school is basically one big scavenger hunt for rewards that may or may not exist. But if you choose to believe, you might as well go for the gold. And who doesn't love a little extra incentive to crank out that memo at 3 a.m.?

Now, let's dive into that anxiety. Should you put in extra hours on your memo to make it perfect, or should you just chill out and not care at all? Well, obviously, it's a delicate dance. You'll want to spend exactly 100 hours crafting a memo that's worthy of a Nobel Prize and then play it cool with the rest of your class, maybe casually mentioning

decision vehemently protested by the dissent. The court did, however, deviate from the trial court in finding merit in the plaintiffs' disenfranchisement claim. Two voters had moved to Loving County in the months preceding the election. They had each registered according to standard Texas procedure, though they ultimately realized they were left off the local voter roll when they tried to vote. One of the individuals attempted to vote early. Instead of being given a normal ballot, he was given what Texas refers to as a limited ballot, which allowed him to vote only in those elections for which he would have been eligible had he retained his residence in the county where he lived prior. As a result, he was not allowed to vote in the three contested Loving County elections. The second individual attempted to vote on election day and was given a provisional ballot with the three local elections struck through, amounting to a makeshift limited ballot. The appellate court ruled that these properly registered voters had been improperly barred from voting. Since the County Clerk candidate had only won by twelve votes, the court ordered a new election.

Limited ballots appear to

that your “memo just sort of came together” over a casual eighteen-cup coffee binge. This way, if you win, you can both bask in glory and act totally humble (even though we both know you're secretly practicing your acceptance speech in the mirror).

And hey, if you don't win? Don't fret. Just remind yourself that law school is all about learning how to fail gracefully in front of an audience. Just like any of the bombed cold calls of the semester, the sands of time will sweep it all away. Or it won't, either way, you will pass the class. Honestly, you will at least have a writing sample that ekes out any competition in the firm space, and that's the real prize, right? Or at least that's what we'll keep telling ourselves as we watch someone else cart off that shiny “Best Memo” title.

So, my advice: aim for the win, but remember that life is full of missed opportunities and crushing disappointments. It builds character. Plus, there's always next semester, and who knows? Maybe rumors of a shiny prize for best LRW argument will be swarming the ScoCo halls by then. Or maybe it'll just be a coupon for free coffee. Either way, it's a win.

Good luck (you'll do great, probably),
Jane Doe, J.D.

be a Texas idiosyncrasy, according to my research. They are designed to allow people to vote in the statewide elections in their prior county of residence if they will not be registered in their new county in time.⁶ What happened in this case, however, was that limited ballots were improperly used for registered voters whose names simply had not been added to voter rolls. Limited ballots are not even supposed to be used on election day. It took almost two years for this error to come to light, and for a blatant violation of the Election Code to be adjudicated.

There is certainly a debate to be had over the merits of the limited ballot rule. On the one hand, it could incentivize those people who might not want to vote because they moved near in time to the election, to vote. On the other hand, it could discourage people from getting involved in local politics, since they would neither vote in the local elections in their prior county nor in their new county. What is clear from this case, though, is that idiosyncratic rules like this one have the potential to do substantial or even

6 <https://www.sos.state.tx.us/elections/laws/limited-ballot-voters-and-district-chart.shtml>.

irreparable harm to election results. Of course, this case was extreme because of the incredibly low population. But is it so hard to imagine a couple of larger precincts using a similar methodology? Is it so difficult to think that other states may have equally esoteric election codes that lead to comparable errors? Virginia's smallest county has a population of 2,339.⁷ Is it so far-fetched to think that something akin to the Loving County case could play out there? I think not.

7 https://www.virginiademographics.com/counties_by_population.

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Intruder Koi Relocated

Bradley Berlich '27
Staff Editor



A big koi fish found swimming around the fountain in Spies Garden has been relocated. “Learned Fin,” as some students have called him, was moved to Dell Pond at main grounds in October, according to Gregory Streit, the Law School's Assistant Dean for Building Services. “[It was] the most humane action for the animal” and “standard protocol” for foreign fish, Streit told this reporter over email. “The Law School's fountains are exactly that... fountains. They are not aquariums.”

Streit says he hopes this will be the last time that someone deposits an alien fish into the fountain, but “[he] doubt[s] it will be, unfortunately.” North Grounds maintenance officials sus-

pect that the fish was placed there sometime after April when the fountain received a cleaning. According to law librarian Benjamin Doherty's 2020 post on the law library blog, fish have previously been kept in the pond, but this ceased as it became too difficult to relocate them for the winter.¹

Regardless, Learned Fin's presence was short and sweet. He will be remembered in the hearts of all he touched.

1 Benjamin Doherty, A Diary of a Lonely Librarian Part 5: Chronicles of Sadness and Strangeness in the Time of COVID-19, Blog of the Arthur J. Morris Law Libr. (May 11, 2020), <https://lib.law.virginia.edu/blog/2020/05/11/a-diary-of-a-lonely-librarian-part-5/>.

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Finals Panic? Stress Cook These Tasty Recipes



Andrew Allard '25,
Law Weekly Royalty



Nicky Demitry '26

As the Law School’s premier source of bad advice, the *Law Weekly* has some thoughts about how you should spend this finals season. Most law students, unlike other wild animals, do not hibernate through the winter. Nourishment is crucial during these stressful and (ordinarily) chilly months. As such, the very worst thing you can do is work on your outline, which nourishes neither your body nor your soul, and only barely nourishes your mind. Instead, we recommend making these low-effort, high-reward recipes for when hunger strikes, but inspiration escapes you. We hope they’ll support you through the final push of the fall semester!

“White Boy” Pho

- Beef stock
- Spice mix (star anise, cloves, cinnamon, cardamom, coriander)

- Noods
- Shaved beef
- Optional (mandatory) accoutrements: cilantro, jalapeños, Thai basil, limes

UVA Law students *love* to talk stocks, so why not slurp on a good beef stock? This recipe is worse than true pho in almost every single way. But don’t let that fool you! This is a cheap, quick, and tasty alternative to take-away from...where does one get pho in Charlottesville?¹

The recipe for white boy pho is simple. Simmer your stock in a small pot with the spice mix to infuse. Be sure to inhale repeatedly. This isn’t part of the recipe, but once you smell the aroma, you’ll understand. I recommend using a high-quality beef stock (veggie broth if you love the planet or whatever).

If, like me, you want to lean into procrastination, you can make a beef stock yourself. And if you make a large batch, you can reduce it to a thick liquid, pour it into an ice cube tray, and

1 Genuinely asking. Submit pho recs to editor@lawweekly.org. Maybe you’ll get an ANG.

have ready-to-go beef stock cubes in the freezer. Life hack?!

However you get your beef on, while the stock is simmering, prepare your noods. Rice noodles are the classic choice, here. They also cook quickly, which makes them a good option for this simple approach. But feel free to use whatever noodles you have on hand. This is already a highly adulterated product—I’m not really in a position to judge you.

We’re nearly done. For assembly, place your noodles in a bowl and top with some of your shaved beef, cilantro, and whatever other add-ins you’re using.² Using a strainer to remove the spices, pour the simmering stock into your bowl. Be sure that the stock is hot enough to cook your shaved beef. If you’re afraid of undercooked meat,³ you can fish out the spices from your pot and cook the beef directly in the stock before transferring to your bowl.

Serve immediately. I like

2 For veggie readers, I’ve done this with tofu and mixed veg, which works nicely.

3 Okay, liberal.

mine with some lime wedges, sliced jalapeños, and Thai basil. But again, not here to judge. Happy slurping!

Non-Recipe Recipes

I resent the implication that I will put together an actual recipe during this time. Here are my contributions regardless, and the only important recipe here is that they’re a recipe for success.

Stress Meal 1: the european

Glass of wine, 45 bar olives, 7 pieces manchego cheese

Stress Meal 2: home-grown

Annie’s mac and cheese, full stop. Optional mods: add tomato soup in with cheese when pasta is cooked. Don’t knock it. Alternately, get microwavable frozen broccoli/other veggies and add them in at the end. Health.

Stress Meal 3: nostalgia

Tortilla or bread, peanut butter, banana slices, mini chocolate chips, drizzle honey.

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JUSTICE

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A question from the audience then prompted a discussion on how to have conversations on this topic with people who have opposing viewpoints. Khare expressed that sharing personal stories is important for showing people the negative effects of limiting abortion access. The Center recently released a documentary film, *Zurawski v. Texas*, which follows litigation between women denied abortions during life-threatening emergencies and the state of Texas. Professor Coughlin noted that the stories highlighted in the film are informative for those who may not recognize the consequences of current abortion bans.

It is important to continue creating spaces like this panel that allow for conversation about reproductive justice and how to combat restrictions over the next four years. While it may seem hopeless, Khare’s, Professor Coughlin’s, and Professor Cahn’s careers underscore how many people are working tirelessly to address these issues.

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Managing Finals Stress

Nicky Demitry '26
Production Editor



As the saying goes, “those who can’t do, teach,” and those that can’t do or teach write advice columns in their law school’s satire paper. So let’s get into it—stress management, coming to you straight from the individual who pulled on her eyebrows and eyelashes in a rhythmic and dissociative trance so often when studying for the LSAT that her doctor likened her behavior and appearance to that of a diseased parrot.

We all know the rote responses for stress management: exercise, sunshine, good sleep, hydration, nutritious food, and community support. If you regularly engage in these practices, this is not for you. Move on. Go run a 5k, you gunner. For the rest of you, follow these simple tricks. Local doctors hate her!

1. Consume sugar. I know it’s bad for you. I don’t care. Consume these sugars, specifically: Thai tea croissant from Camellia’s, mousse au chocolat from Cou Cou Rachou, the cake flight from Cake Bloom.

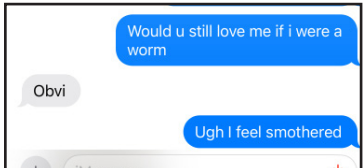


2. Consume salt. Specifically, the pretzel croissant from Marie Bette, Jack Brown’s cheese fries, Marco & Luca dumplings, breakfast biscuit sandos from Multiverse Kitchen. Also, Taco Bell.

3. Consume nature. You don’t have to exercise, just sit outside. Maybe look at a star. It’s not eighty degrees in November anymore, as of yesterday. Climate change isn’t real, and you’re definitely gonna have a livable planet upon which to live out your days practicing law.

4. Beg and plead with yourself/pretend you are someone you are not. Resort to cajoling and bribery. For example: for every page of outlining, you get to watch one episode of *Star Trek*. Realize that the ratio for *Star Trek* to expenditures of labor is way, way off. Panic!

5. Get into some interpersonal disagreements. Alienate those close to you, then realize what you’re doing and scramble to fix things. The urgency of this will dis-



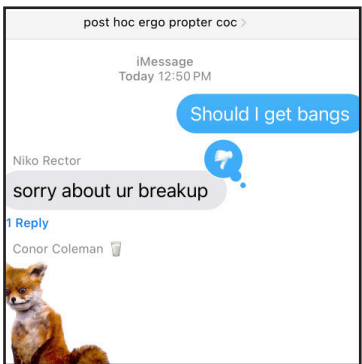
tract you from the stress of law things. It definitely will not make everything worse.

Things you should actually avoid, at least in their excess form:

1. Alcohol. I know, I can’t believe I—the queen of boxed wine—is saying it either. But it’s a depressant and it won’t really help. If you’re drinking to the point of stress relief, it’s arguably going to be more detrimental for getting back to the grind the next day, which in turn causes further stress. However, no need to impose a total moratorium. Adopt a Mediterranean approach! A glass of wine is basically breakfast for us. Sit outside when you drink it. If you want to really get into it, whip out the chess board and challenge randoms as they walk by you.

2. Being extremely mean to yourself. If you can’t convince yourself to be nice to yourself based on self-esteem and having a childhood filled with unconditional love, remember that being very internally harsh is at best self-absorption and, at worst, manipulation. Great, now you’re an even worse person. A really good person wouldn’t waste so much time hating themselves. Now you hate yourself more. You play the victim so much I’m surprised you don’t carry around your own body chalk. You have created an inescapable ouroboros of misery. Oh god.

Maybe take a second to interrogate why you’re being so harsh with yourself: Do you think you’ll be able to guilt, shame, or harass yourself into being a more ideal version of yourself? Has it ever worked before? Have you ever seen it work with



someone else? Elaborate. Now you’re journaling! The internet says that’s healthy. Look at you go. Write it up and submit it to the *Law Weekly*. Talk to your friends, don’t get a haircut.

But in all seriousness, be realistic and also reasonable with yourself. You aren’t perfect. It is okay to be upset and it is okay to feel disappointed. It’s okay even to be stressed. Life will continue on regardless of your ennui. Try, gently, to maintain perspective. As my dad would always tell me when I was young and positively racked with anxiety about every aspect of existence: “You get to keep your birthday.” It’s a nonsensical-ish phrase that annoyed me so much when I was a child that it would actually knock me out of my panic for a second. As I got older I decided I liked it. You can bomb tests, forget important dates and tasks, and tank interviews, but no matter what, you get to keep your birthday.

And you can always double down on benders and self-loathing after finals. Balance. <3

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LAW WEEKLY FEATURE: Court of Petty Appeals

The Court of Petty Appeals is the highest appellate jurisdiction court at UVA Law. The Court has the power to review any and all decisions, conflicts, and disputes that arise involving, either directly, indirectly, or tangentially, the Law School or its students. The Court comprises eight associate justices and one Chief Justice. Opinions shall be released periodically and only in the official court reporter: the Virginia Law Weekly. Please email a brief summary of any and all conflicts to editor@lawweekly.org

Commonwealth v. Allard
77 U.Va 11 (2024)

COLEMAN, J., delivers the opinion of the Court, in which JONES & DEMITRY, JJ., join.

ALLEN, J., concurs in the judgment.

ALLARD, C.J.?, joined by COCO, J., dissents.

COCO, J., dissents.

Coleman, J., delivers the opinion of the Court.

Our Editor-in-Chief is once again imperiled by criminal litigation. During his campaign for high office last year, he routinely falsified business records, with the aid of the then-Managing Editor and author of this opinion, in furtherance of campaign violations.¹ The conspirators would falsify *Law Weekly* printing receipts and distribute the ill-gotten proceeds among voting members of the paper. He was even delivering our ex-

¹ Noble Bar Examiners: You have likely discovered many distressing allegations against our EIC in this Court. Please take note of our petty jurisdiction.

tra Domino’s pizzas to administrative officials who helped him cook the books in the Law School Foundation accounts. For these crimes, he was convicted in a Virginia court. Somehow, he has kept this under wraps for several months. But his sentencing took place last week, and he is to spend the next twenty years behind bars.

The *Law Weekly* has

In the lesser office of President of the United States, criminal lawsuits would have to wait until he leaves office.

no extradition treaty with the Commonwealth of Virginia. So, the question now arises: Will we respect this foreign criminal conviction of our EIC? Yes, we will. Chief Justice Allard will be turned over to Virginia authorities, stripped of all *Law Weekly* titles, and Justice Coleman will be elevated to Chief Justice and Editor-in-Chief.

I

This decision may seem at odds with our existing case law. *See Law Weekly Editors v. Allard*, 76 U. Va. 16 (2024) (“We now hold that the Editor-in-Chief, as sovereign

of the *Law Weekly*, enjoys editorial immunity from suit.”). In particular, other Justices imagined a sweeping immunity. *See id.* (Coleman, J., concurring) (“This Court comes to the appropriate conclusion that their war crimes should never result in crushing civil liability.”); *see also id.* (Allard, C.J., concurring) (“[S]ome may interpret today’s decision

as an effort by the Chief Justice to immunize himself from future litigation and entrench his position as the paper’s Editor-in-Chief. This is essentially correct. But who is going to stop me?”).

But those cases involved suits initiated *after* the EIC had taken office. The sweeping editorial immunity we envisioned only comes into existence when the office is assumed. Today, we are asked not to render a judgment *de novo*, but to respect a foreign judgment.

II

Independent of his ul-

timate criminal liability, Allard (*sans* C.J.) argues that enforcement should wait until his term of office ends. Without his unhindered leadership, the paper will surely fall into disarray. And in the lesser office of President of the United States, criminal lawsuits would have to wait until he leaves office.

But the *Law Weekly* has many editors who

are willing and able to assume his duties upon this Court’s order. The regular functions of the Managing Board—assigning articles, reviewing for errors, securing Law School funding—can easily be fulfilled with our existing editor pool. So, there is no need to extend EIC immunity to criminal prosecutions secured before his tenure in office.

III

Yet another concern implicit in this case is the respect we will accord foreign judgments. Since no jurisdictions are our peers, we are not bound by any type of Full Faith

and Credit Clause. Foreign judgments are valid insofar as we choose to make them valid.

But since this Court’s verdicts are rarely enforced in other jurisdictions, it is in our interest to show them some respect. Perhaps there is a day not so far in the future in which state and federal officials enforce our judgments against members of the public. That seems like a better result than our appointing a *Law Weekly* sheriff with dubious extra-territorial jurisdiction.

In conclusion, the Court ORDERS the following:


That former Chief Justice Allard be turned over to Commonwealth authorities.

That Justice Coleman assume his responsibilities immediately.

Allen, J., concurring in the judgment

While I hesitate to join the majority’s treatment of law and precedent (or throw my support behind Comrade Coleman), I ultimately agree that JUSTICE ALLARD does not enjoy immunity flowing from his position

COPA page 5



Virginia Law Weekly

COLOPHON

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EDITORIAL POLICY: The Virginia Law Weekly publishes letters and columns of interest to the Law School and the legal community at large. Views expressed in such submissions are those of the author(s) and not necessarily those of the Law Weekly or the Editorial Board. Letters from organizations must bear the name, signature, and title of the person authorizing the submission. All letters and columns must either be submitted in hardcopy bearing a handwritten signature along with an electronic version, or be mailed from the author's e-mail account. Submissions must be received by 12 p.m. Sunday before publication and must be in accordance with the submission guidelines. Letters and/or columns over 1200 words may not be accepted. The Editorial Board reserves the right to edit all submissions for length, grammar, and clarity. Although every effort is made to publish all materials meeting our guidelines, we regret that not all submissions received can be published.

Faculty Quotes

G. Strauss: “I will steal your spouse - I shouldn't have personalized that. *Someone* will steal your spouse.”

D. Brown: “If you're the type of person with experience with Cocaine, then you'll be able to distinguish [it] from sugar and flour.”

A. Deeks: “Only in a law school class can you ask with a straight face what an 'and' means.”

T. Frampton: “Let's turn... to Death.”

K. Kordana: “On page [x] she cites *Star Trek*... Stupid... I'm told that there are some intelligent people out there that like *Star Trek*, but I've never met one.”

K. Kordana: “Keep it under your hat, slicko.”

Heard a good professor quote? Email us at editor@lawweekly.org or submit at lawweekly.org/quotes.

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COPA

continued from page 4 as EIC. I reach this decision on the basis of the structure of the *Virginia Law Weekly* Managing Board and write to inform the public about the political machinery and considerations at play. Contrary to many other political systems and organizations, and perhaps the assumptions of our readership, this paper is decidedly *not* democratic. Our managing board ‘electoral’ process consists largely of current leadership selecting and grooming their successors. This culminates in a ‘vote’ in which unanimous acclamation sees each elevated to their new post. The paper is modeled after the *politburo*, allowing us to avoid the inefficiencies and mistakes that democracy all too often allows. The upshot of this managed system is that the EIC, while wielding undoubted power during their tenure, is also a replaceable apparatchik, always fungible. As such, none of the justi-

fications for allowing immunity through the term of office are persuasive, and JUSTICE ALLARD must face the full force of the Virginia legal system. I speak for all members of the *Law Weekly* in expressing the sincere hope that he hires a better lawyer for his appeal.

Allard, C.J.?, joined by Coco, J., dissenting.

“Et tu, Brute?” *See Ex parte* Law Weekly, 76 U.Va 16 (2024) (Morse, C.J., dissenting). Why must I quote this now? We’re not even through the second act???

The *Law Weekly* is famous at UVA Law for many things, chief among them its steadfast commitment to democracy. *See id.* (majority opinion) (“Many successful ‘campaigns’ result from backroom dealmaking, and some Editors-in-Chief have opted to hand-pick their successors.”). As part of our democratic

traditions, this Court annually observes its “sacred duty to harass the Editor-in-Chief on their way out.” *Id.* But I still have another semester and a half left in me. What gives?

“Justice” Coleman, in his overzealous scheme to dethrone me from *my* highly undesirable job, purports to respect Virginia law. I have never before observed in him any deference to state power, so I can only interpret his reasoning here as a naked attempt at usurpation.

Well, it won’t work. Justice Coleman’s order installing himself as Editor-in-Chief is patently unconstitutional. The *Law Weekly* Constitution requires a formal process for the removal of any member of the Editorial Board. *See* Law Weekly Const. Art. III § 1. That process requires the Editor-in-Chief to “notify in writing the Editor whose removal is sought.” *Id.* You can bet your sorry asses I won’t be notifying myself of anything without a writ of mandamus.

Further, even if Coleman succeeds in convincing the Executive Board to launch a premature coup against me, their efforts shall be in vain. The Editorial Board is a constitutionally *separate* body from the Executive Board. *See* Law Weekly Const. Art. I § 2 (establishing the Executive Board, “comprised of an Editor-in-Chief, Executive Editor, Managing Editor, Production Editor, and Features Editor,” or the “Constitutional Editors”); *id.* § 3 (establishing an Editorial Board “comprised of the members of the Executive Board, in addition to as many additional Editors as needed”).

The Editorial Board’s duties are limited to creating Editorial Board positions, selecting its members, and, when necessary, overriding decisions of the Editor-in-Chief. *See* Law Weekly Const. Art. I § 3. But it is the *Executive Board* and its chief officer, the EIC, that are charged with “the efficient operation

of the entire publication.” Law Weekly Const. Art. II § 1. Our Constitution’s removal clause only provides for removal from the *Editorial* Board, not the *Executive* Board. *See* Law Weekly Const. Art. III § 1. (“Any member of the *Editorial Board* may be removed from his or her position for good cause upon a two-thirds vote of the *Executive Board*.”) (emphasis added).

While this Court has not affirmatively adopted this stance, I believe the Constitution’s text unambiguously entrenches all Constitutional Editors as irremovable tyrants. This is consistent with our historical practice of cheerfully toppling Editors-in-Chief only *after* their term has expired. *See UVA Law Student Body v. Tonseth*, 74 U.Va 10 (2021) (ordering the Editor-in-Chief to “hard labor and cultural re-education training, to be carried out in the Darden basement”); *see also Gay Section H Law Weekly*

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HOT BENCH



Ruth Buck '85

Interviewed by Noah Coco'26

Welcome to the Hot Bench, Professor Buck '85! Let's start where we usually do: Can you tell me a little bit more about what made you decide to pursue law? You didn't start your career in law, so I was wondering what that transition was like for you.

I first transferred to UVA undergrad for my third year, which meant that I graduated with the first graduating class of women at the university. I loved Charlottesville from the moment I drove up here from Mississippi, so I knew I wanted to stay. I ended up working a little bit, going back to

school, and then ended up working on a series of emergency medical grants for the University Medical Center. But then the grant money ran out. And I really wanted to stay in Charlottesville. All my life, people had said how much I liked to argue, and so I thought, okay, I'll go to law school.

It seems like those people may have been on to something, because weren't you a finalist in the Lile Moot Court Competition when you were a student? Could you tell me about that experience? Do you remember the problem?

Yes, it was a RICO problem. I can't remember the exact RICO issue I had. But RICO had been newly enacted, so it was an issue of first impression. At that point, most students were participating in Lile, so it was a big deal. Caplin Auditorium was filled and overflowing with students sitting in the aisles for the final round. And one of the reasons—I don't think it was to hear me argue—but one of the reasons it was so full was because Justice O'Connor was one of the judges. She had agreed to be a judge before she was on the Supreme Court, but by the time of the argument, she was the newest member of the Court. So that was a

great deal of fun. My moot court partner had a toddler and was pregnant at the time of the argument. I remember at the dinner afterward she was asking Justice O'Connor if she had any advice about how to combine being a parent with the legal profession.

During the information session for Lile this year, the board touted the fact that Justice O'Connor had once judged the final round. I hadn't realized that you were one of the finalists she was judging! Are there any other fond memories you have of your time at law school?

I was co-captain of our first-year softball section team. Obviously, now I have difficulty with mobility, but I didn't back then. I was involved in all sorts of athletics. I played third base, and I enjoyed that a lot. I obviously made some good friends that I'm still in touch with. One of the other things that helped me keep my sanity in law school was that, having lived here already for six or seven years, I had most of my close friends. One of my closest friends had two young children at the time. I enjoyed time spent with them, and I remember going to their preschool kite-flying day. I didn't skip class

to do this! But it was on a Friday, and so things like that really helped me stay balanced and keep things in perspective. Looking back, I really appreciated the environment of the Law School, where you're surrounded by all these amazing peers and professors who care about you, and you can just sit and discuss these interesting topics. That seemed almost decadent to me. At the same time as being very stressful!

Another part of my law school experience that is very memorable started because of how busy the fall semester of my 2L year was—no surprise there. I decided not to go home for Thanksgiving—I needed to outline and study for finals. So, I spent Thanksgiving day with a group of astronomy grad student friends. One of the grad students who was there was relatively new to Charlottesville—we had mutual friends, but I had never met him. Well, long story short, we hit it off right away and got married three years later. So, I owe my very happy marriage to how busy I was in law school!

Were there any professors you had that stood out to you at the time?

I really enjoyed my Constitutional Law class with Professor David Martin. One reason I think I liked that

class so much is that having grown up in Mississippi in the 1960s—I was in high school in the 1960s—it was fascinating to me, having lived through some of the civil rights movement down there, to then read about some of the cases that came out of Jackson, Mississippi. I found that my experiences provided such context, and it was good for me to read those cases. My experience living through the period brought more to my understanding of the cases.

Can you tell me more about your time in practice before coming back to serve on the faculty at the Law School? Are there any achievements or experiences that you are most proud of?

Yes, there was definitely at least one proud moment that stands out, and that's when I was first appointed to a pro bono criminal case. I was working at a civil litigation firm at the time. What happened was that when I was studying for the bar, my retina detached. I had to have eye surgery and couldn't take the bar. So I had to go ahead and start at the firm in Georgia and then take the January bar. Then the partner with whom I was

